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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/769,386	01/31/2004	Tehri S. Lee	K35A1358	9439	
35219	35219 7590 05/18/2005		EXAMINER		
WESTERN DIGITAL TECHNOLOGIES, INC. 20511 LAKE FOREST DRC205			MERCEDES,	MERCEDES, DISMERY E	
LAKE FOREST DRC203 LAKE FOREST, CA 92630			ART UNIT	PAPER NUMBER	
			2651		
			DATE MAILED: 05/18/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

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A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Estations of time may be available under the provision of 3 °CPR 1.136(b). In no event, however, may a raphy be timely fitted Estations of time may be available under the provision of 3 °CPR 1.136(b). In no event, however, may a raphy be timely fitted if the period for reply septime to the minimum maintain. If the period for reply septime to reply the period for reply will, by adminish the statiditory princid under the maintain date of this communication. Failure to reply within the set or extended period for reply will, by adminish part of the period of the communication, even filt filter the maintain and extended period of the period of the period of the communication, even filter the maintain and the period of the communication, even filter the maintain and the period of the communication, even filter the maintain and the period of the communication, even filter the maintain and the period of the communication, even filter the maintain and even filter the mai		Application No.	Applicant(s)				
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The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Elements of time many be available under the provision of 3 CFR 1.35(d). In no event, however, may a reply be timely filled Elements of time many be available under the provision of 3 CFR 1.35(d). In no event, however, may a reply be timely filled Elements of the prior of the crypt is specified above, the manement of 3 CFR 1.35(d). In no event, however, may a reply be timely filled the prior of the crypt is specified above, the manement of 3 CFR 1.35(d). In the prior of the reply is specified above, the manement addition of the prior	Oπice Action Summary	Examiner	Art Unit				
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DETAILED ACTION

Election/Restrictions

1. This application contains claims directed to the following patentably distinct species of the claimed invention:

The method of writing product servo sectors to a disk of a disk drive of:

- a. Figures 2-6,9-10, with Figure 7A
- b. Figures 2-6,9-10, with Figure 7B
- c. Figures 2-6,9-10 with Figure 8

Applicant is required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, no claims are considered generic.

Applicant is advised that a reply to this requirement must include an identification of the species that is elected consonant with this requirement, and a listing of all claims readable thereon, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered nonresponsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious

variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

A shortened statutory period for response to this action is set to **expire 1 (one) months** and 0 (zero) days from the mail from the mail date of this letter. Failure to respond within the period for response will result in ABANDONMENT of the application (see 35 U.S.C. 133, MPEP 710.02, 710.02(b)).

2. A telephone call was made to Mr. Shara on 5/9/2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dismery E. Mercedes whose telephone number is 571-272-7558. The examiner can normally be reached on Monday - Friday, from 9:00am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 571-272-7843. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dismery E Mercedes Examiner Art Unit 2651

DM

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